

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jeffrey Mulinelli (S)	Team: Squad #8	CCRB Case #: 201403214	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 03/26/2014 10:45 PM	Location of Incident: 115th Avenue and Van Wyck Expressway	Precinct: 113	18 Mo. SOL 9/26/2015	EO SOL 9/26/2015	
Date/Time CV Reported Thu, 03/27/2014 12:10 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 04/03/2014 4:30 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Prince Oconnor	02865	940528	PBQST/F
2. POM Patrick Jeanpierre	26971	941955	PBQST/F

Officer(s)	Allegation	Investigator Recommendation
A.POM Patrick Jeanpierre	Abuse: PO Patrick Jean-Pierre threatened to arrest § 87(2)(b)	
B.POM Prince Oconnor	Abuse: PO Prince O'Connor threatened to arrest § 87(2)(b)	
C.POM Prince Oconnor	Discourtesy: PO Prince O'Connor acted rudely toward § 87(2)(b)	

Case Summary

On March 26, 2014, at approximately 10:45 p.m., PO Prince O'Connor and PO Patrick Jean-Pierre, both of the Patrol Borough Queens South Task Force, stopped § 87(2)(b)'s vehicle at Lefferts Boulevard and 115th Street. [complaint encl. B1-B4, CCRB statement encl. C3-C13] § 87(2)(b) was in the car with his wife, § 87(2)(b). § 87(2)(b) asked PO Jean-Pierre what offense he was pulled over for, and PO Jean-Pierre allegedly threatened to arrest § 87(2)(b) if he asked again. (**Allegation A**) The officers returned to their vehicle with § 87(2)(b)'s license. When they returned approximately 30 minutes later, PO O'Connor spoke to § 87(2)(b) about the summonses he issued. PO O'Connor allegedly told § 87(2)(b) that he would arrest him if he asked about the offenses he was summonsed for or questioned the officers again. (**Allegation B**) PO O'Connor allegedly tossed the three summonses, which were wrapped around § 87(2)(b)'s license, into § 87(2)(b)'s car through the open window. § 87(2)(b)'s license fell into his lap and the summonses hit him in his left eye. (**Allegation C**)

§ 87(2)(b) was ultimately taken to § 87(2)(b) where he was diagnosed with a corneal abrasion. [encl. see medical folder M1-M18]

Mediation, Civil, and Criminal Histories

On December 18, 2014, a NOC inquiry was filed with the Office of the New York City Comptroller. Its results will be added to the case file.

On December 18, 2014, a FOIL request was mailed to the New York State Department of Motor Vehicles in regards to the summonses issued to § 87(2)(b). The results will be added to the case file upon receipt.

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b) rejected the option to mediate this case.

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) [encl. A3]
- PO O'Connor has been a member of the service for 8 years and has had one previous CCRB case with no substantiated allegations. [encl. A2]
- This is the first CCRB complaint against PO Jean-Pierre during his 8 year tenure. [encl. A1]

Findings and Recommendations

Identification of Subject Officer(s)

§ 87(2)(b) testified that he was stopped by two black male officers, and each officer threatened to arrest him. Both PO Jean-Pierre and PO O'Connor acknowledged their participation in this incident. PO Jean-Pierre stated that he was the first to approach and speak with § 87(2)(b). § 87(2)(g) PO O'Connor acknowledged that he returned to § 87(2)(b)'s vehicle to speak with him and issue the summonses. § 87(2)(g)

Recommendations:

Allegation A – PO Patrick Jean-Pierre threatened to arrest § 87(2)(b)

Allegation B – PO Prince O’Connor threatened to arrest § 87(2)(b)

Allegation C – PO Prince O’Connor acted discourteously toward § 87(2)(b)

§ 87(2)(b) testified that, before he handed over his license, he asked PO Jean-Pierre what offense he had committed, PO Jean-Pierre said, “One more me if you repeat that I am going to arrest you.” PO O’Connor then issued 3 summonses to § 87(2)(b) who asked PO O’Connor what offenses he had committed. PO O’Connor said, “Next time you would be arrested if you keep questioning police officers.” PO O’Connor then tossed § 87(2)(b)’s summonses, which were wrapped around his license, into the open window. The license fell into § 87(2)(b)’s lap and the summonses struck him in his left eye.

At § 87(2)(b), § 87(2)(b) was brought into the § 87(2)(b) § 87(2)(b) complained of pain in his left eye. He informed medical personnel that a police officer hit him in the left eye with his driver’s license about two hours ago. The medical records indicate that § 87(2)(b) was positive for headaches, blurred vision, and photophobia. He tested negative for double vision and discharge. § 87(2)(b) was diagnosed with a corneal abrasion. [encl. see medical folder M1-M18]

§ 87(2)(g) § 87(2)(b)’s wife, § 87(2)(b) § 87(2)(b) did not allege that the officers threatened to arrest him. [encl. D1-D2]

PO Jean-Pierre testified that when he asked § 87(2)(b) for his license several times, § 87(2)(b) stated that he knew other officers in the police department and that he had a right not to produce his identification. [encl. F1-F6] PO Jean-Pierre told § 87(2)(b) that he was required to produce a valid driver’s license if he was driving within the state of New York. PO Jean-Pierre did not recall telling § 87(2)(b) that he would arrest him if he did not produce his identification.

When PO O’Connor delivered the summonses, § 87(2)(b) argued with him and refused to take the summonses. PO O’Connor did not threaten to arrest § 87(2)(b) and he did not throw the license and summonses at § 87(2)(b)’s face. PO O’Connor dropped the documents through the open window into § 87(2)(b)’s lap.

PO O’Connor testified that he did not hear PO Jean-Pierre threaten to arrest § 87(2)(b) at any time during the incident. [encl. E1-E13] When he issued the summonses, which were for failure to signal, unsafe passing, and disobeying pavement markings, PO O’Connor chose to speak with § 87(2)(b) from the driver’s side of the vehicle. § 87(2)(b) would not take the tickets from PO O’Connor, and he dropped them through the open window into § 87(2)(b)’s lap. The documents did not strike § 87(2)(b) anywhere on his face. PO O’Connor did not threaten to arrest § 87(2)(b) during this incident.

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Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
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Reviewer: _____
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